

DISTRIBUTING PRE-MARKED SAMPLE BALLOTS

GS 163-165.2(b)

Document Resembling an Official Ballot to Contain Disclaimer. – No person other than a board of elections shall produce or disseminate a document substantially resembling an official ballot unless the document contains on its face a prominent statement that the document was not produced by a board of elections and is not an official ballot.

In 2008, the State Board of Elections had the issue of the extent of the disclaimer referred to in GS 163-165.2 before it. The SBOE ruled that a disclaimer is sufficient if an average voter could easily determine that it was not an official ballot and where the ballot came from.

Sample Ballots and Campaign Finance Statutes

Sample ballots are considered print media and are therefore required to contain a legend (i.e. "Paid for by [Name of committee]"). If the sample ballot is marked for candidates other than yourself, it must also contain an authorization statement (i.e. "Authorized by [name of candidate], candidate for [name of office]" or "Not authorized by a candidate").

Please refer to the Media/Advertising section of the Campaign Finance Manual for additional information.